

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Workshop on this the 16th day of December, 2003 at 7:00 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:03 p.m.

ITEM 1. UPDATE GRAPEVINE TRAIL SYSTEM

Parks & Recreation Director Doug Evans and Assistant Director of Parks & Recreation Joe Moore presented an update regarding the Grapevine Trail System. Big Bear Creek Trail construction will begin in February 2004 that will link Bear Creek Park to Parr Park and to Pool Road. Design on the Oak Grove Trail is 80% complete and will link the C. Shane Wilbanks Trail at the Oak Grove Soccer Complex with the Dove Loop East Trail currently under construction. Dove Loop Trail is currently under construction and will link with the trail that goes through the Gaylord Texan Resort and Convention center on Lake Grapevine. The City's inner-city trail system currently has 24 miles of hike and bike trails funded and if all of the trails on the master plan are constructed, the City will have over 34 miles of hike and bike trails within the City limits.

ADJOURNMENT


Council Member Wilbanks, seconded by Council Member Spencer, offered a motion to adjourn the workshop at 7:23 p.m. The motion prevailed by the following vote:

12/16/03

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE,
TEXAS on this the 6th day of January, 2004.

APPROVED:



William D. Tate
Mayor

ATTEST:



Linda Huff
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Special Session (Executive Session) on this the 16th day of December, 2003 at 7:00 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:23 p.m.

ITEM 1. EXECUTIVE SESSION

Mayor Tate announced the City Council would conduct a closed session regarding:

- (A) pending or contemplated litigation relative to (1) City of Grapevine vs David Glenn (Cause No. 352-202667-03); (2) Verizon Southwest and Mid American Texas Settlement/Indemnity Agreement and (3) Orval Hall Excavating Company & JLB Contracting LP relative to the Minters Chapel Road Project pursuant to Section 551.071, Texas Government Code, and
- (B) Conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate and expand in the City; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to the closed session. City Manager Roger Nelson stated there was no action necessary relative to the closed session under Sections 551.071 and 551.087, Texas Government Code.

NOTE: City Council continued with the Regular City Council meeting in open session in the Council Chambers.

ADJOURNMENT


Council Member Wilbanks, seconded by Council Member Spencer, offered a motion to adjourn the meeting at 9:21 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

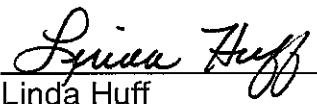
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 6th day of January, 2004.

APPROVED:



William D. Tate
Mayor

ATTEST:



Linda Huff
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council and the Planning & Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 16th day of December, 2003 at 7:30 p.m. in the City Council Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the Planning & Zoning Commission:

Larry Oliver	Chairman
Herbert Fry	Vice Chairman
Chris Coy	Member
Kevin Busbee	Member amended 1/6/04 lw
Betty Wilson	Member
Rob Undersander	Member
Becky St. John	Alternate
Paul Jennings	Alternate

constituting a quorum, with Commissioner Danette Murray absent, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:45 p.m.

INVOCATION

Commissioner Fry delivered the Invocation.

ITEM 1. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU03-43 AND SPECIAL USE APPLICATION SU03-06 MIDNIGHT RODEO/HONDO'S

Mayor Tate declared the public hearing open.

Planner Ron Stombaugh reported Conditional Use Application CU03-43 and Special Use Application SU03-06 had been filed by Midnight Rodeo/Hondo's. The conditional use application requests a conditional use permit to amend the site plan approved by Ordinance No. 2002-51 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant/dance club. The special use application requests a special use permit for three pool tables in conjunction with a restaurant/dance club. The property is located at 3000 Grapevine Mills Parkway, Suite 611 and is zoned "CC" Community Commercial District Regulations. The proposed restaurant/dance club will seat approximately 564 patrons. The site plan shows the restaurant/dance club is approximately 20,130 square feet with 1,110 square feet dedicated to the kitchen area.

Mr. Jeffrey Lewis requested favorable consideration of the application. He stated that Hondo's Grill would be open all of the time that the Grapevine Mills Mall is open and that Midnight Rodeo would be open Wednesday-Saturday from 5 p.m. to 2 a.m.

City Council and the Planning & Zoning Commission questioned the hours of operation for the kitchen, and the age limit of persons allowed in the Midnight Rodeo. The Council restated the City's 50/50 requirement for food sales and alcoholic beverage sales. Mr. Lewis responded that the kitchen would be open at all times of operation of the Midnight Rodeo and Hondo's. The minimum age for the dance club would be 21 years of age unless a teen function or family event is held. At that time, the alcoholic beverages would not be available.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Jennings, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, ~~Busbee~~, Wilson, Undersander, St. John & Jennings
 Nays: None
 Absent: Murray

amended 1/6/04 lw

Council Member Johnson, seconded by Council Member Freed, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
 Nays: None

ITEM 2. PUBLIC HEARING, ZONING APPLICATION Z03-09 GARY
HAZLEWOOD/GRAPEVINE STATION

Mayor Tate declared the public hearing open.

Planner Stombaugh advised Zoning Application Z09-03 had been filed by Gary Hazlewood (Grapevine Station) requesting rezoning of approximately 32.55 acres from "PID" Planned Industrial Development District, "R-12.5" Single Family District Regulations and "R-MF-2" Multifamily District Regulations to "BP" Business Park District and "CC" Community Commercial District Regulations. The property is located at 1000 East Northwest Highway. The applicant proposes 76,100 square feet of retail development along Wall Street and East Northwest Highway. Approximately 72,750 square feet of office space and 171,300 square feet of office/warehouse space are proposed for the remainder of the site.

Mr. Chuck Stark and Mr. Gary Hazelwood requested favorable consideration of the application.

Discussion ensued relative to the traffic flow into the proposed development and concerns were expressed regarding the building elevations as the property develops. Mr. Hazelwood responded that he was agreeable to making it a part of the zoning case that a conditional use application be filed for each site as it develops.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak. City Secretary Huff reported the Council and Commission had been copied the five letters protesting the zoning application.

Commissioner Fry, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, ~~Busbee~~, Wilson, Undersander, St. John & Jennings

Nays: None *amended 1/6/04 llw*

Council Member Wilbanks, seconded by Council Member Freed, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 3. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU03-47 FALGUN
PATEL/RIZTY'S

Mayor Tate declared the public hearing open.

Planner Stombaugh advised Conditional Use Application CU03-47 had been filed by Falguni Patel (Ritzzy's) requesting a conditional use permit to amend the site plan approved by Ordinance No. 2003-47 for the development of a restaurant with drive-through service in the outparcel area of Grapevine Mills Mall. The subject property is located at 2225 Grapevine Mills Circle East and is zoned "CC" Community Commercial District Regulations. The restaurant will have seating for 110 guests with ten of those being outdoors.

Ms. Janet Briel requested favorable consideration of the application.

Discussion ensued relative to the stacking of vehicles at the drive through service window.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Undersander, seconded by Commissioner Fry, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, ~~Busbee~~, Wilson, Undersander, St. John & Jennings

Nays: None *amended 1/6/04 ew*

Council Member Stewart, seconded by Council Member Freed, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 4. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU03-48
GRAPEVINE CAR WASH

Mayor Tate declared the public hearing open.

Planner Stombaugh advised Conditional Use Application CU03-48 had been filed by Grapevine Car Wash requesting a conditional use permit for the development of a car wash and pet wash facility. The property is located 2201 Ira E. Woods Avenue and is zoned "CC" Community Commercial District Regulations. The development will have eight wash bays with vacuum and detail areas.

Mr. Frank Meneghetti requested favorable consideration of the application.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. Mr. Barry Johnson 2221 Ira E. Woods Avenue expressed support for the proposed development.

City Secretary Huff reported the Council and Commission had been copied the one letter of support for the application.

Commissioner Coy, seconded by Commissioner Fry, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, ~~Busbee~~, Wilson, Undersander, St. John & Jennings

Nays: None *amended 1/6/04 ew*

Mayor Pro Tem Ware, seconded by Council Member Spencer, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 5. PUBLIC HEARING, AMEND GRAPEVINE CODE OF ORDINANCES, APPENDIX D, COMPREHENSIVE ZONING ORDINANCE NO. 82-73, AS AMENDED, SECTION 16 "R-5.0" ZERO LOT LINE DISTRICT REGULATIONS, SECTION 54 MASONRY REQUIREMENTS AND SECTION 55 PERFORMANCE STANDARDS

Mayor Tate declared the public hearing open.

Planner Stombaugh reviewed the proposed amendments to the Grapevine Code of Ordinances, Appendix D, the Comprehensive Zoning Ordinance No. 82-73, as amended, Section 16 "R-5.0" Zero Lot Line District Regulations to amend the side yard setbacks to 6-feet on each side of the lots; Section 54 Masonry Requirements to exempt any building or structure from the masonry requirement that has received an "HL" Historic Landmark Subdistrict designation relative to exterior wall construction and Section 55 Performance Standards relative to lighting elements adjacent to residential districts.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Wilson, seconded by Commissioner St. John, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, ~~Bushee~~, Wilson, Undersander, St. John & Jennings

Nays: None

amended 1/6/04 sh

Council Member Freed, seconded by Mayor Pro Tem Ware, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RECESS AND RECONVENE

Mayor Tate announced the Planning & Zoning Commission would recess to the Planning & Zoning Conference Room to consider published business.

The City Council remained in session in the Council Chambers to consider published business.

ITEM 5A. CITIZEN COMMENTS, MR. PAUL MILLSAP

Mr. Paul Millsap, 2825 Odell Court, requested the Council consider increasing the local disability tax exemption.

ITEM 6. ORDINANCE, AMEND CHAPTER 20 STREETS, SIDEWALKS AND OTHER PUBLIC WAYS

Mr. Stan Laster, Assistant Director of Public Works/Engineering, recommended approval of an ordinance amending the Grapevine Code of Ordinances, Chapter 20 Streets, Sidewalks and Other Public Ways, Section 20-4 to require that all names of streets, public ways, drives and thoroughfares be approved by the City of Grapevine. This would address the issue of 911 response to specific locations that may be located on non-public routes yet have an acknowledged name. Changes in these route names by the private owners without City approval could result in confusion during an emergency for the responding units.

Motion by Council Member Spencer, seconded by Council Member Wilbanks, to approve with an amendment to Section 20-4(b) to include private drives and access easements prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2003-77

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 20 STREETS, SIDEWALKS, AND OTHER PUBLIC WAYS, BY THE AMENDMENT OF SECTION 20-4, SAME- ASSIGNMENT OF NUMBERS, REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

CONSENT AGENDA

The next order of business for the City Council was to consider the consent agenda items, which were deemed to need little or no discussion and were acted upon as one business item. Mayor Tate asked if there was any member of the audience or the City Council who wished to remove an item from the consent agenda for full discussion. There were none.

Item 7. Ratify Change Orders No. 1 and 2, Approve Change Order No. 3

Public Works Director recommended approval of the ratification of Change Orders No. 1 and 2 and approval of Change Order No. 3 to Part II of the Design/Build Agreement for the construction of the Grapevine Golf Course Maintenance Facility and Chemical Storage Facility in the respective amounts of \$6,614.39, \$2,917.20 and \$17,354.00 and authorization for Staff to execute said change orders.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 8. Ordinance, Amend Chapter 23 Traffic

Public Works Director recommended approval of an ordinance amending the Grapevine Code of Ordinances, Chapter 23 Traffic, Section 23-32 One Way Traffic to remove one-way traffic flow restrictions on specified streets.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ORDINANCE NO. 2003-78

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES BY AMENDING CHAPTER 23 TRAFFIC, SECTION 23-32, ONE WAY STREETS; AUTHORIZING THE ERECTION OF TRAFFIC REGULATION SIGNS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 9. Indemnity Agreement, Verizon Southwest and Mid American Texas

Public Works Director recommended approval of an indemnity agreement releasing Verizon Southwest and Mid American Texas from future claims by the City of Grapevine relative to sanitary sewer line damage at or near 2300 Dove Road resulting from Mid American Texas construction activities on or about October 13, 2003 and authorization for the City Manager to execute said agreement.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 10. Change Order No. 1 Dove Loop Construction Project

Public Works Director recommended approval of Change Order No. 1 to the Dove Loop Construction Project in the amount of \$181,252.77 and authorization for Staff to execute said change order.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 11. Resolution, Declare Emergency, Repair Grapevine Water System, State Highway 121 and Hall-Johnson Road

Public Works Director recommended approval of a resolution declaring an emergency for the repairs to the Grapevine water system and authorization for Staff to pay Wright Construction Company for emergency repairs to the 20" waterline at Hall-Johnson Road and northbound State Highway 121 frontage road in the amount of \$47,075.62.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2003-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AUTHORIZING A PAYMENT TO WRIGHT CONSTRUCTION COMPANY FOR EMERGENCY REPAIRS TO A CITY WATERLINE; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE

Item 12. Resolution, Declare Surplus Property

Administrative Services Director recommended approval of a resolution declaring certain property as surplus and/or salvage and authorizing the sale of said property through sealed bid or public auction.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2003-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, DECLARING CERTAIN PROPERTY SURPLUS AND/OR SALVAGE AND PROVIDING FOR THE AUTHORIZATION OF THE SALE OF SAID PROPERTY AND PROVIDING AN EFFECTIVE DATE

Item 13. Resolution, Interlocal Agreement, Oil and Lubricants Annual Contract

Public Works Director recommended approval of a resolution establishing an annual contract with Reeder Distributors for oil and lubricants through an interlocal agreement with the City of Fort Worth.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2003-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNATE TO PURCHASE OIL AND LUBRICANTS THROUGH AN ESTABLISHED INTERLOCAL AGREEMENT WITH THE CITY OF FORT WORTH AND PROVIDING AN EFFECTIVE DATE

Item 14. Authorize Emergency Vehicle Light Bars Purchase

Public Works Director recommended approval of the purchase of 21 Emergency Vehicle Light Bars for Fleet Services from All America Sales Corporation in the amount of \$49,095.27.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 15. Consideration of Minutes

City Secretary recommended approval of the minutes of the December 2, 2003 City Council meetings as published.

Motion by Mayor Pro Tem Ware, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RECESS AND RECONVENE

Mayor Tate announced the City Council would take a brief recess. Upon reconvening in the Council Chambers, all members of the City Council were present.

ITEM 16. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU03-43 MIDNIGHT RODEO/HONDO'S

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU03-43 filed by Midnight Rodeo/Hondo's granting a conditional use permit to amend the site plan approved by Ordinance No. 2002-51 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant/dance club with the stipulation that full kitchen service with the restaurant be available during all hours of operation. The property is located at 3000 Grapevine Mills Parkway, Suite 611.

Council Member Spencer, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation with the stipulation that full kitchen service with the restaurant be available during all hours of operation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson & Stewart

Nays: Freed

ORDINANCE NO. 2003-79

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU03-43 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2002-51 FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOLIC

BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT/DANCE CLUB IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 17. PLANNING & ZONING COMMISSION RECOMMENDATION
SPECIAL USE APPLICATION SU03-06 MIDNIGHT RODEO/HONDO'S

Chairman Oliver reported the Commission voted 7-0 for approval of Special Use Application SU03-06 filed by Midnight Rodeo/Hondo's granting a special use permit for three pool tables in conjunction with a restaurant/dance club. The property is located at 3000 Grapevine Mills Parkway, Suite 611.

Council Member Wilbanks, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation and approve the ordinance granting the special use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson & Stewart

Nays: Freed

ORDINANCE NO. 2003-80

AN ORDINANCE ISSUING A SPECIAL USE PERMIT IN ACCORDANCE WITH SECTION 49 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE BY GRANTING SPECIAL USE PERMIT SU03-06 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2002-51 FOR THREE POOL TABLES IN CONJUNCTION WITH A RESTAURANT/DANCE CLUB IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS UNDER CITY OF GRAPEVINE ORDINANCE NO. 82-73 ALL

IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS SPECIAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 18. PLANNING & ZONING COMMISSION RECOMMENDATION
ZONING APPLICATION GARY HAZLEWOOD/GRAPEVINE STATION

Chairman Oliver reported the Commission voted 7-0 for approval of Zoning Application Z03-09 filed by Gary Hazlewood/Grapevine Station granting rezoning of approximately 32.55 acres from "PID" Planned Industrial Development District, "R-12.5" Single Family District Regulations and "R-MF-2" Multifamily District Regulations to "BP" Business Park District and "CC" Community Commercial District Regulations with the stipulation that as the "CC" Community Commercial District Regulations develop, each site must submit a conditional use permit application. The subject property is located at 1000 East Northwest Highway.

Council Member Freed, seconded by Mayor Pro Tem Ware, offered a motion to accept the Commission's recommendation to approve the ordinance granting the rezoning with the stipulation that as the "CC" Community Commercial District Regulations develop each site must submit a conditional use permit application. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
 Nays: None

ORDINANCE NO. 2003-81

AN ORDINANCE AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE OF GRAPEVINE, TEXAS, GRANTING ZONING CHANGE Z03-09 ON A TRACT OF LAND OUT OF THE E. MOORE SURVEY, ABSTRACT NO. 1029, DESCRIBED AS BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE CITY OF

GRAPEVINE, TARRANT COUNTY, TEXAS MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "PID" PLANNED INDUSTRIAL DEVELOPMENT DISTRICT REGULATIONS, "R-12.5" SINGLE FAMILY DISTRICT REGULATIONS AND "R-MF-2" MULTIFAMILY DISTRICT REGULATIONS TO "BP" BUSINESS PARK DISTRICT AND "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 19. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU03-47 RITZY'S

Chairman Oliver reported the Commission voted 5-2 for approval of Conditional Use Application CU03-47 filed by Ritzy's granting a conditional use permit to amend the site plan approved by Ordinance No. 2003-47 for the development of a restaurant with drive-through service in the outparcel area of Grapevine Mills Mall. The subject property is located at 2225 Grapevine Mills Circle East.

Mayor Pro Tem Ware, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2003-82

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU03-47 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO.

2003-47 FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE IN THE OUTPARCEL AREA OF THE GRAPEVINE MILLS MALL IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 20. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU03-48 GRAPEVINE CAR WASH

Chairman Oliver reported the Commission voted 7-0 for approval of Conditional Use Application CU03-48 filed by Grapevine Car Wash granting a conditional use permit for the development of a car and pet wash facility on property located at 2201 Ira E. Woods Avenue.

Council Member Stewart, seconded by Mayor Pro Tem Ware, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2003-83

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU03-48 FOR A CAR WASH FACILITY IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73

AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 21. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOT 6, BLOCK 1, DFW BUSINESS PARK

Chairman Oliver reported the Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lot 6, Block 1, DFW Business Park. The 1.662 acre property is located on the south side of Ira E. Woods Avenue and is zoned "CC" Community Commercial District Regulations. The property is platted for development of a car and pet wash facility.

Council Member Freed, seconded by Mayor Pro Tem Ware, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lot 6, Block 1, DFW Business Park. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 22. PLANNING & ZONING COMMISSION RECOMMENDATION
AMEND GRAPEVINE CODE OF ORDINANCES, APPENDIX D,
COMPREHENSIVE ZONING ORDINANCE NO. 82-73, AS AMENDED,
SECTION 16 "R-5.0" ZERO LOT LINE DISTRICT REGULATIONS,
SECTION 54 MASONRY REQUIREMENTS AND SECTION 55
PERFORMANCE STANDARDS

Chairman Oliver reported the Commission voted 7-0 for approval of the amendments to the Grapevine Code of Ordinances, Appendix D, the Comprehensive Zoning Ordinance No. 82-73, as amended, Section 16 "R-5.0" Zero Lot Line District Regulations relative to side yard setbacks, Section 54 Masonry Requirements relative to exterior wall construction in the "HL" Historic Landmark Subdistrict designation and Section 55 Performance Standards relative to lighting elements.

Council Member Johnson, seconded by Council Member Spencer, offered a motion to accept the Commission's recommendation and the ordinance amending Appendix D. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2003-84

AN ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CODE OF ORDINANCES BY PROVIDING FOR AMENDMENTS AND CHANGES TO ZONING REGULATIONS BY AMENDING SECTION 16 "R.5.0" ZERO-LOT LINE DISTRICT; SECTION 54 MASONRY REQUIREMENTS; AND SECTION 55 PERFORMANCE STANDARDS; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT


Council Member Wilbanks, seconded by Council Member Spencer, offered a motion to adjourn the meeting at 9:21 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 6th day of January, 2004.

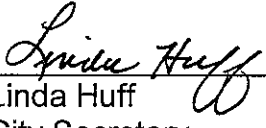
APPROVED:



William D. Tate
Mayor

12/16/03

ATTEST:



Linda Huff
City Secretary